

United States District Court, Eastern District of Washington
Magistrate Judge Mary K. Dimke
Richland

USA v. EDUARDO REYES

Case No. 4:21-MJ-7108-MKD-2

Video Conference
The Defendant agreed to appear via video conference.

Detention Hearing:

05/24/2021

- | | |
|---|---|
| <input checked="" type="checkbox"/> Pam Howard, Courtroom Deputy [Y] | <input checked="" type="checkbox"/> Caitlin Baunsgard, US Atty (tele) |
| <input checked="" type="checkbox"/> Erica Helms, US Probation / Pretrial Services (tele) | <input checked="" type="checkbox"/> Robin Emmans, Defense Atty (tele) |
| <input checked="" type="checkbox"/> Defendant present <input checked="" type="checkbox"/> in custody USM appearing by video from Sunnyside Corrections Center | <input checked="" type="checkbox"/> Interpreter NOT REQUIRED |
| <input checked="" type="checkbox"/> Defendant continued detained | <input type="checkbox"/> Defendant not present / failed to appear |
| <input type="checkbox"/> Conditions of Release imposed | <input type="checkbox"/> 199C Advice of Penalties/Sanctions |

REMARKS

Due to the current COVID-19 public health crisis, all parties including Defendant, appeared by video or teleconference.

USA proffered the pretrial services report and concurs with its recommendation of continued detention of the Defendant. USA advised this charge carries a presumption of detention.

USA argued why the Court should detain the Defendant and why there are no conditions of release which will reasonably assure Defendant's appearance as required and/or the safety of the community. USA advised the release residence is not appropriate and Defendant has ties in Mexico and has traveled to Mexico. Defendant's girlfriend has driven Defendant to drug sales on at least one occasion.

USA argues the large amount of drugs and cash that were seized indicate the drug supplier has a good level in trust of these Defendants. USA has concerns with the firearms and thousands of rounds of ammunition that were seized. USA advised the Court as to recorded jail calls in Spanish to Defendant's mother regarding contacting the drug supplier in Mexico, USA is having those calls transcribed.

Defense counsel argued why the Defendant should be released including a limited criminal history, no numerous failures to appear, and no warrant has been issued in the state case. Defense argues this Defendant is young and his contact with Mexico is due to his father is living there which is appropriate. Defendant will turn in his passport and he has a job he may be able to return to or can obtain alternate employment. Defense advised Defendant has strong family ties and multiple options for residency. Defense proposed conditions of release. Defendant lawfully owned the firearms and ammunition and those have been removed.

USA advised would object to Defendant's release to the residence with the address of the pending state assault case.

Defense advised Defendant has other residence options.

The Court ordered:

1. USA's Motion for Detention is **granted, subject to return should circumstances change**. The presumption of detention has not been overcome.
2. That there is no combination of conditions to assure the Defendant's appearance as required.
3. Defendant shall be detained by the U.S. Marshal until further order of the Court.